

The Type I, II & III Preliminary Plan Review Process

(Handout #1-Revised 6/22/04)



Why are there three different types of review?

Proposed developments are classified for different levels of review depending upon their impacts to the community.

The Type I review process involves an application subject to non-discretionary standards or standards that require the exercise of professional judgment about technical issues, and exempt from the State Environmental Policy Act (SEPA) review. Examples of this type of review include permits for signs, home occupations, family day care and variances less than 10%. County staff has the authority to issue Type I review permits.

The Type II review process involves an application subject to objective and subjective standards that require the exercise of limited discretion about non-technical issues and which there may be a limited public interest. Examples of this review include permits for commercial Site Plans, Short Plats (land divisions of 4 lots or less) and Variance of 10-25%. County staff has the authority to issue Type II review permits.

The Type III review process involves an application for relatively few parcels and ownerships. It is subject to standards that require the exercise of substantial discretion and about which there may be a broad public interest. Examples of Type III reviews include Subdivisions, Conditional Uses and Planned Unit Developments. Type III reviews require a public hearing before the hearing examiner with the examiner making the final decision.

How is the public informed about their opportunity to comment on proposed developments?

Type I reviews require no public notice and are often issued over the counter following a brief review. If a more in-depth review is required, the county has up to 21 days to issue a Type I review decision.

Type II and III reviews have a public notice requirement and include specified times within which the public may comment. Notice of proposed developments for Type II and III reviews are mailed to all property owners within 300 feet (urban area)/500 feet (rural area). Notice is also posted in the Columbian newspaper. For Type III reviews only, the property is posted with signs indicating the type of development proposed, opportunities to comment, and the public hearing date, time and location.

What is a Pre-Application Conference?

For Type II and III reviews, the applicant must attend a pre-application conference prior to submitting their development application. The purpose of the pre-app is to acquaint the applicant with the requirements of the code and other laws that apply to their development. It is also a time for other agencies, such as the Washington Department of Transportation or Washington Department of Ecology, to comment on the proposed development. The public may attend the conference, but cannot make comment.

What is a SEPA determination?

The State Environmental Policy Act (SEPA) requires a review of environmental impacts of the proposed development. County staff and interested agencies will review the development application to determine its compliance with applicable Federal, State and County Code. Through this process, a determination will be made as to whether the impacts will be considered non-significance (DNS), mitigated non-significance (MDNS) (i.e., conditions can be required to mitigate anticipated impacts), or significance (DS). For a DNS or MDNS determination, an analysis will be incorporated within the Staff Report and final decision. If a DS determination is made, the applicant is required to prepare an Environmental Impact Statement (EIS) prior to the County considering the proposed subdivision. The SEPA determination is published in the newspaper.

When and how do I get to comment on Type II reviews?

Public notice is mailed to area property owners about proposed developments. The public notice specifies a 14-day comment period in which the public may submit written comments to county staff. Staff will take these comments into consideration as they develop their staff report and make their decision.

I understand that Type III reviews require a public hearing, so what happens at the public hearing and when do I get to speak?

First, the Hearing Examiner will open the hearing. Next, County staff will present an overview of the proposed project to the audience, including the CVTV audience. The staff will then proceed to give a more detailed description of the project and design considerations, showing the proposed development plan and other drawings by utilizing the overhead projector. Staff will conclude with a summary of their analysis and findings, and make a recommendation whether the application meets or exceeds the approval criteria.

Next, the applicant may present their testimony and address issues regarding the staff report and recommendations. This is also the time for the applicant to address issues they believe may be brought up during the public testimony portion of the hearing, and/or issues they believe the Hearings Examiner may raise.

Following the applicant presentation, the hearing will be open to the general public for their testimony.

Once all the public testimony has been presented, the applicant will have the opportunity to provide rebuttal testimony.

The Hearing Examiner will then close the public hearing.

How long before a decision is issued?

Type I review decisions must be issued within 21 days of submitting a complete application.

For Type II and II reviews, the process begins with a pre-application conference that must be held within 21 days from receiving the application.

Following the pre-application conference, the applicant submits a full development application for review. Upon submittal, the county conducts a “Fully Complete” review to determine if the application includes all the required information. A letter of completeness must be sent to the applicant within 21 days of application.

For a Type II review, staff must issue a decision within 78 days after the county has issued a determination of application completeness.

For Type III reviews, a public hearing must be held within 78 days from issuance of a determination of application completeness, and a decision issued within 92 days.

Note: The above review deadlines may be extended when requested by the applicant. These requests are sometimes needed to allow the applicant time to submit additional information.

Can I appeal a decision made by staff or the examiner?

Yes. Appeals must be submitted in writing, together with the appeal fee, within 14 calendar days of mailing the decision.

For Type I review decisions, any interested party may appeal the decision. For Type II review decisions, only the applicant and a party of record (i.e., someone who submitted written testimony to staff prior to issuance of the decisions) may appeal the decision. An appeal of a Type I or II decision will be reviewed, at a public hearing, by the hearing examiner. The fee for an appeal before the examiner is \$1009.00.

A Type III decision by the Hearing Examiner may be appealed to the Board of County Commissioners by the applicant or a party of record (i.e., someone who

presented written or verbal testimony, or signed the hearing sign-in sheet on the specific application). The fee for an appeal before the Board is \$263.00.

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>**

DEVELOPMENT REVIEW APPLICATION FORM

(Form DS1000-Revised 12/4/03)



PROJECT NAME:		
TYPE(S) OF APPLICATION (See Reverse Side):		
DESCRIPTION OF PROPOSAL:		
APPLICANT NAME:	Address:	
E-mail Address:	Phone and Fax:	
PROPERTY OWNER NAME (list multiple owners on a separate sheet):	Address:	
E-mail Address:	Phone and Fax:	
CONTACT PERSON NAME (list if not same as APPLICANT):	Address:	
E-mail Address:	Phone and Fax:	
PROJECT SITE INFORMATION: Site Address:		Comp Plan Designation:
Cross Street:	Zoning:	Serial #'s of Parcels:
Overlay Zones:	Legal:	Acreage of Original Parcels:
Township:	Range:	¼ of Section:

AUTHORIZATION

The undersigned hereby certifies that this application has been made with the consent of the lawful property owner(s) and that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient cause for denial of the request. This application gives consent to the County to enter the properties listed above.

Authorized Signature _____

Date _____

Assigned at Customer Service Center	CASE NUMBER:	
	WORK ORDER NUMBER:	

APPLICATION TYPES

If you have any questions regarding the type of application being requested, our Customer Service Center will be happy to assist you.

- ☐ Annual Review
- ☐ Appeal
- ☐ Boundary Line Adjustment and Lot Reconfiguration
- ☐ Conditional Use

Environmental/Critical Areas:

- ☐ Archaeological
- ☐ Critical Aquifer Recharge Area (CARA)
- ☐ Columbia River Gorge
- ☐ Forestry + (Moratorium Waiver, Moratorium Removal, Class I, Class IVG or COHP)
- ☐ Floodplain
- ☐ Geological
- ☐ Habitat
- ☐ Historic
- ☐ SEPA
- ☐ Shoreline
- ☐ Wetland

Land Division:

- ☐ Binding Site Plan
- ☐ Final Plat
- ☐ Plat Alteration
- ☐ Short Plat (___ Infill)
- ☐ Subdivision (___ Infill)

Miscellaneous:

- ☐ Addressing
- ☐ Accessory Dwelling
- ☐ Covenant Release
- ☐ Garden Shed Setback Waiver
- ☐ Home Occupation
- ☐ Legal Lot Determination & Innocent Purchasers Determination
- ☐ Non-Conforming Use Determination
- ☐ Reconstruct Letter
- ☐ Sewer Waiver
- ☐ Shooting Range
- ☐ Sign

Planning Director Review:

- ☐ Post Decision
- ☐ Pre-Application Conference
- ☐ Pre-Application Waiver
- ☐ Public Interest Exception
- ☐ Similar Use
- ☐ Temporary Use
- ☐ Other

- ☐ Planned Unit Develop/Master Plan
- ☐ Road Modification
- ☐ Site Plan
- ☐ Variance
- ☐ Zone Change